

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

YANCEY WALSH

VS.

TWIN CITY TRANSPORTATION, INC.,  
STOUGHTON RENTAL AND LEASING  
COMPANY, LLC, AND  
THOMAS EDWARD HODGES, JR.

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CASE NO. \_\_\_\_\_  
(Jury)

**NOTICE OF REMOVAL OF ACTION  
UNDER 28 U.S.C. §1441(b) (DIVERSITY)**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendants Twin City Transportation, Inc. and Stoughton Rental and Leasing Company, LLC, hereby remove to this Court, the state court action described below.

1. The above entitled action was originally filed and is pending in the 71st Judicial District Court of Harrison County, Texas under Cause No. 21-0263. Citation naming Stoughton Rental and Leasing Company, LLC as Defendant was served, together with Plaintiff's Original Petition, on or about March 29, 2021. Citation naming Twin City Transportation, Inc. as Defendant was served, together with Plaintiff's Original Petition, on or about April 8, 2021. No other proceedings have occurred in the 71<sup>st</sup> Judicial District Court of Harrison County, Texas.

2. This is a civil action in which Plaintiff seeks judgment against Defendants regarding an automobile accident.

3. At the commencement of this action in the 71<sup>st</sup> Judicial District Court of Harrison County, Texas, and at all times thereafter, Plaintiff Yancey Walsh was and is a resident of Harrison County,

Texas; and Defendant Twin City Transportation, Inc. is a corporation established under the laws of State of Arkansas, with its principal place of business in the State of Arkansas; and Defendant Stoughton Rental and Leasing Company, LLC. is a corporation established under the laws of the State of Wisconsin, with its principal place of business in the State of Wisconsin.

4. This Court has original jurisdiction over this action pursuant to 28 U.S.C. §1332, and this action may be removed under the provisions of 28 U.S.C. §1441(b).

5. Pursuant to 28 U.S.C. § 1441(b), an action shall be removable “if none of the parties in interest properly joined and served as defendants is a citizen of the state in which such action is brought.”<sup>1</sup>

6. Here, Plaintiff alleges causes of action based entirely on the motor vehicle accident which occurred on or about March 29, 2019 in Harrison County, Texas.<sup>2</sup> Thus, because Defendant Twin City Transportation, Inc. is a corporation established under the laws of the State of Arkansas, with its principal place of business in the State of Arkansas; and Defendant Stoughton Rental and Leasing Company, LLC is a corporation established under the laws of the State of Wisconsin, with its principal place of business in the State of Wisconsin, and Plaintiff was and is a resident of Harrison County, Texas, this action is removable under 28 U.S.C. § 1441(b) and this Court has original jurisdiction over this action pursuant to 28 U.S.C. §1332.<sup>3</sup>

5. A true and correct copy of all process, pleadings and orders, being Plaintiff's Original Petition and citations served on Petitioner are attached hereto as Exhibit "A" and incorporated herein the

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<sup>1</sup> 28 U.S.C. § 1441(b)

<sup>2</sup> See Plaintiff's Original Petition, *Exhibit A*.

<sup>3</sup> 28 U.S.C. § 1441(b); 28 U.S.C. §1332.

same as if set forth at length.

6. Thirty (30) days have not yet expired since this action became removable to this Court by service of summons or receipt of pleadings creating a right of removal.

WHEREFORE, PREMISES CONSIDERED, Petitioners Twin City Transportation, Inc. and Stoughton Rental and Leasing Company, LLC pray that the above entitled action be removed from the 71<sup>st</sup> Judicial District Court of Harrison County, Texas to the United States District Court for the Eastern District of Texas, Marshall Division.

Respectfully submitted,

BY: /s/ Paul M. Boyd  
PAUL M. BOYD  
State Bar No. 02775700  
BENJAMIN T. BONNER  
State Bar No. 24096171  
BOYD BOYD & GIDDENS  
1215 Pruitt Place  
Tyler, Texas 75703  
903/526-9000  
903/526-9001 (FAX)  
[pboyd@boydlawtexas.com](mailto:pboyd@boydlawtexas.com)  
[bbonner@boydlawtexas.com](mailto:bbonner@boydlawtexas.com)

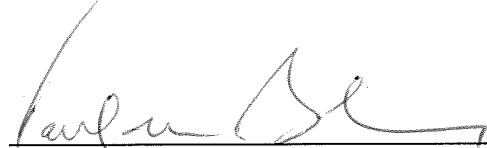
ATTORNEY FOR DEFENDANTS TWIN  
CITY TRANSPORTATION, INC. AND  
STOUGHTON RENTAL AND LEASING  
COMPANY, LLC

STATE OF TEXAS

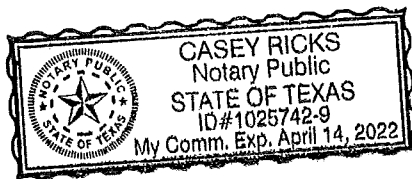
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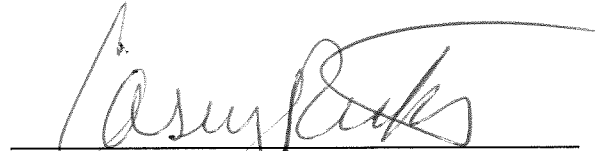
COUNTY OF SMITH

BEFORE ME, the undersigned authority, on this day personally appeared PAUL M. BOYD, who by me being duly sworn, on oath states that he is the attorney for Petitioners Twin City Transportation, Inc. and Stoughton Rental and Leasing Company, LLC that he has the authority to make this verification; that he has read the foregoing Notice of Removal of Action Under 28 U.S.C. §1441(b) (Diversity) and knows the contents thereof; that the same is true of his own knowledge.

  
PAUL M. BOYD

SUBSCRIBED AND SWORN TO before me the undersigned notary public by the said PAUL M. BOYD, on this the 16<sup>th</sup> day of April, 2021, to certify which witness my hand and official seal of office.



  
NOTARY PUBLIC  
STATE OF TEXAS

CERTIFICATE OF SERVICE

I hereby certify that on this the 16<sup>th</sup> day of April, 2021, a true and correct copy of the above and foregoing instrument was forwarded via electronic means to:

Mr. Brent Goudarzi  
GOUDARZI & YOUNG, L.L.P.  
P.O. Drawer 910  
Gilmer, TX 75644  
[ATTORNEY FOR PLAINTIFF]

/s/ Paul M. Boyd  
PAUL M. BOYD

HARRISON COUNTY DISTRICT CLERK, SHERRY GRIFFIS

**CASE SUMMARY****CASE NO. 21-0263**

YANCEY WALSH

VS.

TWIN CITY TRANSPORTATION, INC., STOUGHTON

RENTAL AND LEASING COMPANY, LLC, AND

THOMAS EDWARD HODGES, JR.

§  
§  
§  
§

Location: 71st District Court

Judicial Officer: Morin, Brad

Filed on: 03/19/2021

**CASE INFORMATION**

Case Type: Injury/Damage - Motor Vehicle

Case  
Status: 03/19/2021 Filed**DATE****CASE ASSIGNMENT****Current Case Assignment**


Case Number	21-0263
Court	71st District Court
Date Assigned	03/19/2021
Judicial Officer	Morin, Brad

**PARTY INFORMATION****Plaintiff****WALSH, YANCEY***Lead Attorneys***GOUDARZI, BRENT***Retained*


903-843-2544(W)

**Defendant****HODGES, THOMAS EDWARD, Jr.***White Male**DOB: 03/21/1960***STOUGHTON RENTAL AND LEASING COMPANY, LLC****TWIN CITY TRANSPORTATION, INC****DATE****EVENTS & ORDERS OF THE COURT****OTHER EVENTS AND HEARINGS**

04/12/2021

 CITATION RETURNED SERVED  
SERVED 4/8/2021 AT 9:40AM

04/06/2021

 CITATION RETURNED SERVED  
ON 3.30.21


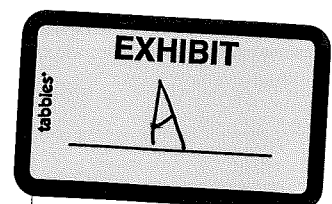
03/22/2021

 MEMO  
RECEIPT OF ESERVICE OF CITATIONS

03/22/2021






**Citation**  
 STOUGHTON RENTAL AND LEASING COMPANY, LLC  
 Served: 03/30/2021  
 Response Due: 04/19/2021  
 Anticipated Server: CERTIFIED MAIL/CLERK  
 Actual Server: CERTIFIED MAIL/CLERK  
 Return Date/Time: 04/06/2021  
 Serving Method: Mail  
 Service Tracking Comment: 7020 1810 0001 8293 1771

03/22/2021

 CITATION BY CERTIFIED MAIL


HARRISON COUNTY DISTRICT CLERK, SHERRY GRIFFIS

**CASE SUMMARY****CASE No. 21-0263**

	ISSUED TO / 7020 1810 0001 8293 1771	
03/22/2021	<b>Citation</b> HODGES, THOMAS EDWARD, Jr. Unserved Anticipated Server: Private Process Server	
03/22/2021	 <b>CITATION PERSONAL</b> ISSUED TO / ESERVED TO ATTORNEY / goudarziyoung@goudarzi-young.com	
03/22/2021	<b>Citation</b> TWIN CITY TRANSPORTATION, INC Served: 04/08/2021 9:40 AM Response Due: 05/03/2021 Anticipated Server: Private Process Server Actual Server: Private Process Server Return Date/Time: 04/12/2021 2:27 PM Serving Method: In Person	
03/22/2021	 <b>CITATION PERSONAL</b> ISSUED TO / ESERVED TO ATTORNEY / goudarziyoung@goudarzi-young.com / SERVED 4/8/2021 AT 9:40AM	
03/22/2021	 <b>EFILE TRANSMITTAL</b>	
03/19/2021	 <b>REQUEST</b> Party: Attorney GOUDARZI, BRENT REQUEST TO ISSUE CITATIONS AND ESERVE BACK TO ATTORNEY	
03/19/2021	 <b>Original Petition (OCA)</b> PLAINTIFF'S ORIGINAL PETITION	
DATE		FINANCIAL INFORMATION
	<b>Plaintiff WALSH, YANCEY</b>	
	Total Charges	379.00
	Total Payments and Credits	379.00
	<b>Balance Due as of 4/16/2021</b>	<b>0.00</b>

Lori Hightower  
Deputy

NO. 21-0263

YANCEY WALSH	§	IN THE DISTRICT COURT
	§	
	§	
VS.	§	HARRISON COUNTY, TEXAS
	§	
TWIN CITY TRANSPORTATION, INC.,	§	
STOUGHTON RENTAL AND LEASING	§	
COMPANY, LLC, AND	§	
THOMAS EDWARD HODGES, JR.	§	71 <sup>ST</sup> JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION****TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW, YANCEY WALSH, hereinafter called Plaintiff, complaining of TWIN CITY TRANSPORTATION, INC., STOUGHTON RENTAL AND LEASING COMPANY, LLC, and THOMAS EDWARD HODGES, JR., hereinafter called Defendants, and for cause of action would respectfully show unto the Court the following:

**DISCOVERY CONTROL PLAN****I.**

Discovery in this cause of action is intended to be conducted under Level 2 of Rule 190.3, Texas Rules of Civil Procedure.

**JURISDICTION AND VENUE****II.**

Venue is proper in Harrison County pursuant to Chapter 15, Texas Civil Practice and Remedies Code, in that this is the county in which all or a substantial part of the events or omissions giving rise to the claim occurred.



Jurisdiction is proper in this Court in that this is a lawsuit seeking damages in excess of the minimum jurisdictional limits of the district courts of the State of Texas.

### **PARTIES AND SERVICE**

#### **III.**

Plaintiff, YANCEY WALSH, resides in Marshall, Texas. The last three digits of Plaintiff's social security number are 111. The last three digits of Plaintiff's state identification number are 059.

Defendant, TWIN CITY TRANSPORTATION, INC., is an Arkansas corporation doing business in the State of Texas and may be served with process by serving its registered agent for service of process, Terry Burnett Jr, at 2300 West 60th Street, Little Rock, Arkansas 72209. Defendant may also be served with process by serving its President, Terry Burnett, at 2300 West 60th Street, Little Rock, Arkansas 72209.

Defendant, STOUGHTON RENTAL AND LEASING COMPANY, LLC, is a Wisconsin limited liability company and may be served with process by serving its registered agent for service of process, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, at 211 E. 7th Street, Suite 620, Austin, Texas 78701-3218, by certified mail, return receipt requested, issued by the District Clerk of Harrison County, Texas.

Defendant, THOMAS EDWARD HODGES, JR., resides at 2747 Mount Holly Rd, Camden, Arkansas 71701, and may be served with process at this address or wherever he may be found.

### **FACTS AND CAUSES OF ACTION**

#### **IV.**

At approximately 9:30 a.m. on March 29, 2019, Plaintiff was traveling in 1995 GMC Sierra pickup, southbound on U.S. Highway 59 approaching the intersection with Bussey Road in Harrison

County, Texas. Defendant, THOMAS EDWARD HODGES, JR., was operating a 2018 Volvo tractor, owned and/or leased by Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, and was towing a 2019 Stoughton Trailers, Inc. trailer owned and/or leased by Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, traveling eastbound on Bussey Road, approaching a stop sign at the intersection of Bussey Road and U.S. Highway 59 in Harrison County, Texas, while in the course and scope of his employment with Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC. Suddenly and without warning, Defendant, THOMAS EDWARD HODGES, JR., totally disregarded the stop sign located at the intersection, proceeded into the intersection and into the path of Plaintiff, colliding with the vehicle Plaintiff was driving and subjecting Plaintiff to tremendous force.

V.

Defendant, THOMAS EDWARD HODGES, JR., was negligent in various acts and omissions, which negligence was the proximate cause of the occurrence in question which includes, but is not limited to, the following:

1. Violating Section 545.151 of Vernon's Texas Statutes and Codes Annotated, Transportation Code, which reads in pertinent part:
  - (a) An operator approaching an intersection:
    - (1) shall stop, yield, and grant immediate use of the intersection in obedience to an official traffic-control device, including a stop sign or yield right-of-way sign; and
    - (2) after stopping, may proceed when the intersection can be safely entered without interference or collision with traffic using a different street or roadway.
2. Failing to keep a proper lookout;
3. Failing to timely apply brakes;
4. Failing to control the vehicle;

5. Failing to act and/or respond in a reasonable manner; and
6. Failing to control the speed of the vehicle.

Each of the foregoing acts of negligence was the proximate cause of the collision in question and the injuries and damages of Plaintiff.

VI.

At the time and on the occasion in question, and immediately prior thereto, Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, committed acts of omission and commission, which collectively and severally constituted negligence and which were a proximate cause of the injuries to and the damages of Plaintiff.

Defendants TWIN CITY TRANSPORTATION, INC.'s and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC's independent acts of negligence include, but are not limited to, the following:

1. Entrusting the subject truck to an unlicensed, incompetent and/or reckless driver when it knew and/or should have known the driver of the subject truck was unlicensed, incompetent, and/or reckless;
2. Hiring and continuing to retain an unsafe, unlicensed, incompetent and/or reckless driver when it knew and/or should have known that the subject driver was unsafe, unlicensed, incompetent and/or reckless;
3. Failing to properly train, supervise and/or monitor Defendant, THOMAS EDWARD HODGES, JR.;
4. Failing to maintain the vehicle in a reasonably safe or prudent manner; and
5. Failing to comply with federal and state laws and regulations concerning drivers and the maintenance or repair of motor vehicles, including, but not limited to, 49 C.F.R. 300-399, Chapter 521.459 of Vernon's Texas Statutes and Codes Annotated, Transportation Code, and Vernon's Texas Statutes and Codes Annotated, Transportation Code Titles 1, 2, and 7.

Each of the foregoing acts of negligence was the proximate cause of the collision in question and the injuries and damages of Plaintiff.

VII.

At the time and on the occasion in question, and immediately prior thereto, Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, were guilty of negligent entrustment and knew or should have known that Defendant, THOMAS EDWARD HODGES, JR., was a negligent and reckless driver.

VIII.

Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, are liable for the damages proximately caused to Plaintiff by the conduct of Defendant, THOMAS EDWARD HODGES, JR., in that Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, were the employer of Defendant, THOMAS EDWARD HODGES, JR., on the date that Defendant, THOMAS EDWARD HODGES, JR., negligently injured Plaintiff, as alleged above, and Defendant, THOMAS EDWARD HODGES, JR., was acting within the course and scope of that employment when that injury occurred or Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, had the right to control the activities of Defendant, THOMAS EDWARD HODGES, JR.

IX.

Defendants or their agents undertook, either gratuitously or for their own benefit, obligations to hire, train, supervise, direct, instruct, and/or control the performance of workers and/or the operation of equipment or vehicles. Defendants knew or should have known that such hiring, training, supervision, direction, instruction, control, and/or operation was necessary for Plaintiff's

protection. Defendants failed to exercise reasonable care in performing those obligations. Plaintiff or a third party relied on Defendants' performance, and Defendants' performance increased Plaintiff's risk of harm.

X.

Defendants committed willful acts or omissions of gross negligence, having actual knowledge of an extreme risk of harm and consciously disregarding that risk, that were a proximate cause of the injuries to Plaintiff and the damages of Plaintiff, and for which Plaintiff is entitled to recover punitive damages, pursuant to Chapter 41 of the Texas Civil Practice and Remedies Code. Furthermore, Defendants authorized the doing and the manner of the acts or omissions, Defendants recklessly employed an unfit agent and/or employee, Defendants employed a vice-principal or one who was in a managerial capacity and was acting in the scope of employment when they committed the acts or omissions, and/or Defendants or a vice-principal or manager of Defendants ratified and/or approved the acts or omissions.

**DAMAGES FOR PLAINTIFF**

XI.

As a direct and proximate result of the occurrence made the basis of this lawsuit, and Defendants' acts as described herein, Plaintiff was caused to suffer and to endure anxiety, pain, and illness resulting in damages more fully set forth below.

As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff has incurred the following damages:

- A. Reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff for the necessary care and treatment of the injuries resulting from the accident;

- B. Reasonable and necessary medical care and expenses which, in reasonable probability, will be incurred in the future;
- C. Physical pain and suffering in the past;
- D. Physical pain and suffering which, in reasonable probability, will be suffered in the future;
- E. Mental anguish in the past;
- F. Mental anguish which, in reasonable probability, will be suffered in the future;
- G. Physical impairment in the past;
- H. Physical impairment which, in reasonable probability, will be suffered in the future;
- I. Disfigurement in the past;
- J. Disfigurement which, in reasonable probability, will be suffered in the future;
- K. Loss of earnings in the past; and
- L. Loss of earning capacity which, in reasonable probability, will be incurred in the future.

By reason of the above, Plaintiff has suffered losses and damages in a sum within the jurisdictional limits of the Court and for which this lawsuit is brought. In accordance with Texas Rule of Civil Procedure 47, Plaintiff seeks monetary relief over \$1,000,000.00.

#### **PRAYER**

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff respectfully prays Defendants be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for Plaintiff against Defendants, jointly and severally, for damages in an amount within the jurisdictional limits of the Court; together with pre-judgment interest (from the date of injury through the date of judgment) at the maximum rate allowed by law; post-judgment interest at the legal rate; costs of court; and such other and further relief to which Plaintiff may be entitled at law or in equity.

Respectfully submitted,

GOUDARZI & YOUNG, L.L.P.

P.O. Drawer 910

Gilmer, Texas 75644

Telephone: (903) 843-2544

Facsimile: (903) 843-2026

E-Serve: [goudarziyoung@goudarzi-young.com](mailto:goudarziyoung@goudarzi-young.com)

By: 

Brent Goudarzi

State Bar No. 00798218

Marty Young

State Bar No. 24010502

ATTORNEYS FOR PLAINTIFF

ORIGINAL

CAUSE NO. 21-0263

YANCEY WALSH

IN THE 71<sup>ST</sup> JUDICIAL DISTRICT COURT  
OF HARRISON COUNTY, TEXAS

VS.

TWIN CITY TRANSPORTATION, INC.,  
STOUGHTON RENTAL AND LEASING COMPANY, LLC, AND  
THOMAS EDWARD HODGES, JR.

## CITATION

TO: THE SHERIFF OR ANY CONSTABLE OF TEXAS  
OR ANY OTHER AUTHORIZED PERSONTHE STATE OF TEXAS  
COUNTY OF HARRISONTO: THOMAS EDWARD HODGES, JR.  
2747 MOUNT HOLLY ROAD  
CAMDEN, AR 71701Attached is a copy of PLAINTIFF'S ORIGINAL PETITION. This instrument was filed on the 19<sup>TH</sup> day of March, 2021, in the above cited cause number and court. The instrument attached describes the claim against you.

You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the District Clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than thirty days after you file your answer with the District Clerk.

## TO OFFICER SERVING:

This citation is issued 22<sup>nd</sup> day of March, 2021, under my hand and seal of said Court.SHERRY GRIFFIS  
Harrison County, Texas  
Harrison County Courthouse  
200 W. Houston St., STE 234  
Marshall, TX 75670

*Joe Hightower*  
BY: \_\_\_\_\_  
DEPUTY CLERK

Issued at the request of  
Brent Goudarzi  
P.O. Drawer 910  
Gilmer, Texas 75644  
State Bar: 00798218

## OFFICER/AUTHORIZED PERSON RETURN

Came to hand at \_\_\_\_\_ o'clock \_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
Executed at \_\_\_\_\_ in \_\_\_\_\_ County at \_\_\_\_\_ o'clock \_\_.m.  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by delivering to \_\_\_\_\_  
defendant, in person, a true copy of this citation together with the accompanying copy of the petition  
attached thereto and I endorsed on said copy of the citation the date of delivery.  
To certify which I affix my hand officially this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
Fee \$ \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_ County, Texas  
by \_\_\_\_\_ Deputy

Affiant

On this day, \_\_\_\_\_, known to me to be the person whose signature appears on the foregoing return,  
personally appeared. After being duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on  
the return.

SWORN TO AND SUBSCRIBED BEFORE ME ON \_\_\_\_\_, 20\_\_.

Notary Public



YANCEY WALSH

**ORIGINAL**

CAUSE NO. 21-0263

IN THE 71<sup>ST</sup> JUDICIAL DISTRICT COURT  
OF HARRISON COUNTY, TEXAS

VS.

TWIN CITY TRANSPORTATION, INC.,  
STOUGHTON RENTAL AND LEASING COMPANY, LLC, AND  
THOMAS EDWARD HODGES, JR.

## CITATION

TO: THE SHERIFF OR ANY CONSTABLE OF TEXAS  
OR ANY OTHER AUTHORIZED PERSONTHE STATE OF TEXAS  
COUNTY OF HARRISONTO: STOUGHTON RENTAL AND LEASING COMPANY, LLC  
REGISTERED AGENT: CORPORATION SERVICE COMPANY  
D/B/A CSC- LAWYERS INCORPORATING SERVICE COMPANY  
211 E. 7<sup>TH</sup> STREET, SUITE 620  
AUSTIN, TEXAS 78701-3218Attached is a copy of PLAINTIFF'S ORIGINAL PETITION. This instrument was filed on the 19<sup>TH</sup> day of March, 2021, in the above cited cause number and court. The instrument attached describes the claim against you.

You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the District Clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than thirty days after you file your answer with the District Clerk.

TO OFFICER SERVING:

This citation is issued 22<sup>nd</sup> day of March, 2021, under my hand and seal of said Court.SHERRY GRIFFIS  
Harrison County, Texas  
Harrison County Courthouse  
200 W. Houston St., STE 234  
Marshall, TX 75670

BY: Don Hightower  
DEPUTY CLERK

Issued at the request of  
Brent Goudarzi  
P.O. Drawer 910  
Gilmer, Texas 75644  
State Bar: 00798218

## OFFICER/AUTHORIZED PERSON RETURN

Came to hand at \_\_\_\_ o'clock \_\_m., on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
Executed at \_\_\_\_\_ in \_\_\_\_\_ County at \_\_\_\_ o'clock \_\_m.  
on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by delivering to \_\_\_\_\_  
defendant, in person, a true copy of this citation together with the accompanying copy of the petition  
attached thereto and I endorsed on said copy of the citation the date of delivery.  
To certify which I affix my hand officially this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Fee \$ \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_ County, Texas  
by \_\_\_\_\_ Deputy

Affiant

On this day, \_\_\_\_\_, known to me to be the person whose signature appears on the foregoing return,  
personally appeared. After being duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on  
the return.

SWORN TO AND SUBSCRIBED BEFORE ME ON \_\_\_\_\_, 20\_\_.

Notary Public

## CLERK'S CERTIFICATE OF SERVICE

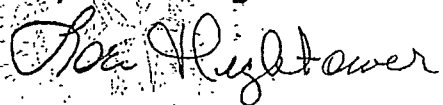
I, Clerk of the District Court of Harrison County, Texas, certify that I executed the foregoing citation in Harrison County, Texas on the 22<sup>ND</sup> day of March, 2021 by placing in the U.S. Mail a true copy of this PLAINTIFF'S ORIGINAL PETITION with a true copy of the aforesaid petition attached thereto, via certified mail. **Cause No. 21-0263**, addressed to STOUGHTON RENTAL AND LEASING COMPANY, LLC, REGISTERED AGENT: CORPORATION SERVICE COMPANY D/B/A CSC-LAWYERS INCORPORATING SERVICE COMPANY, 211 E. 7<sup>TH</sup> STREET, SUITE 620, AUSTIN, TEXAS 78701-3218. Endorsed thereon "return receipt requested". After having first endorsed on said copy of said notice the date of mailing and the name and address of the within named recipient, to certify which witness my hand officially this **22<sup>ND</sup> day of March, 2021.**

Sherry Griffis

Harrison County District Clerk

CERTIFIED MAIL # 7020 1810 0001 8293 1771

By: Lori Hightower

A handwritten signature in cursive script that reads "Lori Hightower". The signature is written in dark ink and is positioned below the printed name "By: Lori Hightower".

7020 1810 0001 8293 1771

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$ \_\_\_\_\_

Total Postage and Fees \$ \_\_\_\_\_

See No. \_\_\_\_\_

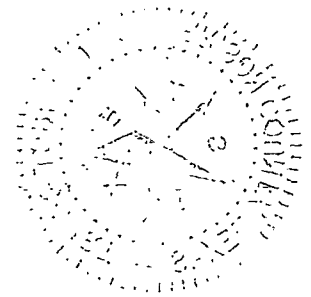
Street and Apt. No., or PO Box No. \_\_\_\_\_

City, State, ZIP+4® \_\_\_\_\_

Austin, Texas 78701-3218

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to:</p> <p>Stoughton Rental and Leasing Company, LLC Registered Agent: Corporation Service Company, 7161A CSC- Lanox's Incorporating Service 211 E. 7th Street, Ste. 620 Austin, TX 78701-1841B</p> <p>9590 9402 6458 0346 5964 20</p> <p>2. Article Number (Transfer from service label): 7020 1810 0001 8243 1771</p> <p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery APR 6 2021</p> <p>D. Is delivery address different from item 1? If Yes, list new address below: SHERRY GRIFFS 11111 FILED FOR REC RISON COUNTY ARK DISTRICT</p> <p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p>Domestic Return Receipt</p>	

Filed 4/12/2021 2:27 PM  
Sherry Griffis  
District Clerk  
Harrison County, Texas

Lori Hightower  
Deputy

CAUSE NO. 21-0263

YANCEY WALSH,

Plaintiff(s),

VS.

TWIN CITY TRANSPORTATION, INC.,  
STOUGHTON RENTAL AND LEASING  
COMPANY, LLC, AND THOMAS EDWARD  
HODGES, JR.,

Defendant(s).

IN THE DISTRICT COURT

71ST JUDICIAL DISTRICT

HARRISON COUNTY, TEXAS

RETURN OF SERVICE

Came to my hand on Friday, April 2, 2021 at 12:00 PM,  
Executed at: 2300 WEST 60TH STREET, LITTLE ROCK, AR 72209  
within the county of PULASKI at 9:40 AM, on Thursday, April 8, 2021,  
by delivering to the within named:

TWIN CITY TRANSPORTATION, INC.

By delivering to its Registered Agent, TERRY BURNETT, JR., a true copy of this

CITATION and PLAINTIFF'S ORIGINAL PETITION

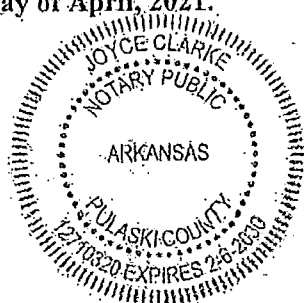
having first endorsed thereon the date of the delivery.

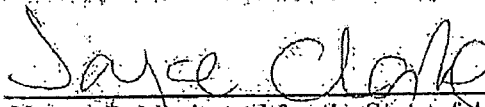
BEFORE ME, the undersigned authority, on this day personally appeared RICHARD WHALEY III who after being duly sworn on oath states: "My name is RICHARD WHALEY III. I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Arkansas. I have personal knowledge of the facts and statements contained in this affidavit and aver that each is true and correct. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude."

By:

  
RICHARD WHALEY III-PROCESS SERVER  
served@specialdelivery.com

Subscribed and Sworn to by RICHARD WHALEY III, Before Me, the undersigned authority, on  
this 9th day of April, 2021.



  
Notary Public in and for the State of Arkansas

**ORIGINAL**

CAUSE NO. 21-0263

YANCEY WALSH

IN THE 71<sup>ST</sup> JUDICIAL DISTRICT COURT  
OF HARRISON COUNTY, TEXAS

VS.

TWIN CITY TRANSPORTATION, INC.,  
STOUGHTON RENTAL AND LEASING COMPANY, LLC, AND  
THOMAS EDWARD HODGES, JR.

## CITATION

TO: THE SHERIFF OR ANY CONSTABLE OF TEXAS  
OR ANY OTHER AUTHORIZED PERSONTHE STATE OF TEXAS  
COUNTY OF HARRISONTO: TWIN CITY TRANSPORTATION, INC.  
REGISTERED AGENT: TERRY BURNETT, JR.  
2300 WEST 60<sup>TH</sup> STREET  
LITTLE ROCK, AR 72209Attached is a copy of PLAINTIFF'S ORIGINAL PETITION. This instrument was filed on the 19<sup>TH</sup> day of March, 2021, in the above cited cause number and court. The instrument attached describes the claim against you:

You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the District Clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than thirty days after you file your answer with the District Clerk.

## TO OFFICER SERVING:

This citation is issued 22<sup>nd</sup> day of March, 2021, under my hand and seal of said Court.SHERRY GRIFFIS  
Harrison County, Texas  
Harrison County Courthouse  
200 W. Houston St., STE 234  
Marshall, TX 75670*Sherry Griffis*  
BY: \_\_\_\_\_  
DEPUTY CLERKIssued at the request of  
Brent Goudarzi  
P.O. Drawer 910  
Gilmer, Texas 75644  
State Bar: 00798218

## OFFICER/AUTHORIZED PERSON RETURN

Came to hand at \_\_\_\_\_ o'clock \_\_\_\_m., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Executed at \_\_\_\_\_ in \_\_\_\_\_ County at \_\_\_\_\_ o'clock \_\_\_\_m.  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by delivering to \_\_\_\_\_  
defendant, in person, a true copy of this citation together with the accompanying copy of the petition  
attached thereto and I endorsed on said copy of the citation the date of delivery:  
To certify which I affix my hand officially this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Fee \$ \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_ County, Texas  
by: \_\_\_\_\_ Deputy

Affiant

On this day, \_\_\_\_\_, known to me to be the person whose signature appears on the foregoing return,  
personally appeared. After being duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on  
the return.

SWORN TO AND SUBSCRIBED BEFORE ME ON \_\_\_\_\_, 20\_\_\_\_.

RETURN / AFFIDAVIT  
PROOF / ATTACHED

Notary Public